

EXHIBIT B

<p style="text-align: right;">Page 1</p> <p style="text-align: center;">IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA</p> <p>Martha Jane Toy, individually, : C.A. No.: And as Execurix and Personal : 05-CV-1814 Representative of the Estate of : Russell B. Toy, deceased, : Plaintiffs, : V. : Plumbers & Pipefitters Local Union : No. 74 Pension Plan, Trustees of : Plumbers & Pipefitters Local Union : No. 74 Pension Plan, Health and Welfare : Plan, Local 74, Welfare Benefit Plan, : Life Insurance Plan, Local 74, Welfare : Benefit Plan, Life Insurance Plan, : Local 74, Insurance Plan, Administrators : of Pension and Welfare Plans, Trustees : of Plumbers & Pipefitters Local Union : No. 74 Welfare Plan, Plan Administrator : of Pension & Welfare Plans, Insurance : Plans, and Health and Welfare : Benefit Plan, : Defendants. : Deposition of SCOTT A. ERNSBERGER, GEM Group, Senior Account Executive, taken pursuant to notice before Tanya M. Congo, a Notary Public and Certified Shorthand Reporter, at the offices of Young, Conaway, Stargatt & Taylor, LLP, the Brandywine Building, 1000 West Street, 17th Floor Wilmington, Delaware, on Friday, August 19, 2005, beginning at approximately 10:11 a.m., there being present: APPEARANCES: LAW OFFICES OF WILLIAM B. HILDEBRAND, L.L.C. 1040 Kings Highway North, Suite 601 Cherry Hill, New Jersey 08034 BY: WILLIAM B. HILDEBRAND, ESQUIRE (Attorney for Plaintiffs)</p>	<p style="text-align: right;">Page 3</p> <p>1 SCOTT A. ERNSBERGER, having first been 2 duly sworn according to law, was examined and 3 testified as follows: 4 DIRECT EXAMINATION 5 BY MR. HILDEBRAND: 6 Q. Good morning. Can you please state your 7 full name and residence address. 8 A. Scott A. Ernsberger. Residence address 9 is, 710 Armstrong Avenue, Wilmington, Delaware 19805. 10 MR. HILDEBRAND: Off the record. 11 (Whereupon, the Reporter read from the 12 record as requested.) 13 BY MR. HILDEBRAND: 14 Q. Mr. Ernsberger, by whom are you employed? 15 A. GEM Group, G-E-M G-r-o-u-p. 16 Q. As you know, my name is Bill Hildebrand. 17 I'm an attorney. I represent the Plaintiffs in the 18 lawsuit which has been brought in the Eastern 19 District of Pennsylvania against the Plumbers & 20 Pipefitters Local Union No. 74 Pension Plan and 21 others. I'm going to ask you some questions today 22 regarding your knowledge of some of the facts that 23 are pertinent to Plaintiffs' claim in that case. 24 Before I do, however, I'd just like to 25 briefly review with you some of the ground rules</p>
<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES (Continued): 2 JOHN M. STULL, ATTORNEY AT LAW 1300 North Market Street, Suite 3 700 Wilmington, Delaware 19899-1947 BY: JOHN M. STULL, ESQUIRE 4 (Attorney for Plaintiffs) 5 YOUNG, CONAWAY, STARGATT & TAYLOR, LLP The Brandywine Building 1000 West Street, 6 17th Floor Wilmington, Delaware 19801 7 BY: CURTIS J. CROWTHER, ESQUIRE D. FON MUTTAMARA-WALKER, ESQUIRE 8 (Attorneys for Defendants) 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>1 under which today's deposition is being taken. 2 Have you ever been deposed before? 3 A. Yes. 4 Q. How many times? 5 A. Twice. 6 Q. Recently? 7 A. Yes. 8 Q. And where were those suits pending, what 9 Court? 10 A. Actually, there were three times I was 11 deposed. The lawsuits, one was in Massachusetts, one 12 was in Pennsylvania, and one is in Delaware. 13 Q. The Pennsylvania lawsuit, what specific 14 Court? 15 Was that Federal Court in 16 Pennsylvania, or state? 17 A. Yes. 18 Q. That was Federal Court? 19 A. Yes. 20 Q. Is that Eastern District of Pennsylvania 21 in Philadelphia? 22 A. Yes. 23 Q. Do you know the caption of that lawsuit? 24 Do you know who the Plaintiffs were? 25 A. I don't recall off the top of my head.</p>

<p style="text-align: right;">Page 41</p> <p>1 payments?</p> <p>2 MR. CROWTHER: Objection, that is</p> <p>3 barred by federal law, HIPPA.</p> <p>4 MR. HILDEBRAND: That's fine. I'm</p> <p>5 just asking whether he made any -- he can answer the</p> <p>6 question as to whether he made any effort.</p> <p>7 THE WITNESS: No.</p> <p>8 BY MR. HILDEBRAND:</p> <p>9 Q. Can you give me any idea as to the</p> <p>10 approximate amount of benefits that have been paid to</p> <p>11 beneficiaries in Pennsylvania over the last year?</p> <p>12 MR. CROWTHER: Objection, barred by</p> <p>13 HIPPA. You can answer.</p> <p>14 THE WITNESS: I don't quite understand</p> <p>15 that question.</p> <p>16 BY MR. HILDEBRAND:</p> <p>17 Q. I'm looking for the total amount of</p> <p>18 benefits that have been paid to Pennsylvania</p> <p>19 beneficiaries. I believe based on your previous</p> <p>20 answers all those payments would have been coming</p> <p>21 from that bank account. So, I'm looking for a dollar</p> <p>22 figure, which I'm sure is not barred by HIPPA.</p> <p>23 A. I still don't understand that question.</p> <p>24 Q. I'm looking for a dollar figure, if you</p> <p>25 know, the total amount of benefits that have been</p>	<p style="text-align: right;">Page 43</p> <p>1 reason why I'm being deprived of that information is?</p> <p>2 MR. CROWTHER: I wouldn't say</p> <p>3 deprived, counsel. I would suggest to you that when</p> <p>4 a defendant responds to your 30(b)(6) notice with</p> <p>5 objections saying that it's, A, vague, and, B, has no</p> <p>6 time period, that it's incumbent upon you to limit</p> <p>7 that scope so that can be ascertained. It's not our</p> <p>8 obligation to limit your own discovery request. We</p> <p>9 responded with an objection.</p> <p>10 MR. HILDEBRAND: Let's go off the</p> <p>11 record for a second.</p> <p>12 MR. CROWTHER: No, let's stay on the</p> <p>13 record.</p> <p>14 MR. HILDEBRAND: We're not going off</p> <p>15 the record.</p> <p>16 At this point I would be willing to</p> <p>17 limit it to the last three or four years, or to</p> <p>18 whatever extent he has the information. I think it's</p> <p>19 certainly incumbent upon you to engage in some sort</p> <p>20 of good-faith effort to resolve the discovery dispute</p> <p>21 as well. I thought that was the purpose of my</p> <p>22 telephone call to your colleague. Apparently I was</p> <p>23 wrong. I got the impression from the telephone</p> <p>24 conversation, rightly or wrongly, that the</p> <p>25 information would be provided. Again, I'm wrong.</p>
<p style="text-align: right;">Page 42</p> <p>1 paid during the past twelve months to Pennsylvania</p> <p>2 beneficiaries through that account?</p> <p>3 A. I don't know that information.</p> <p>4 Q. And obviously I don't expect you to give</p> <p>5 me an exact amount, but can you even give me a</p> <p>6 reasonable approximation, or you just don't know at</p> <p>7 all?</p> <p>8 A. I don't know.</p> <p>9 Q. Who would have that information?</p> <p>10 A. My office would have that information.</p> <p>11 Q. Is there any particular person in your</p> <p>12 office? Would it be a document you could look at?</p> <p>13 A. Yes.</p> <p>14 Q. What would be the nature of that document?</p> <p>15 A. We're talking the Pension Plan, correct?</p> <p>16 Q. Yes.</p> <p>17 A. There are check registers.</p> <p>18 Q. There's check registers in your office</p> <p>19 that would provide that information?</p> <p>20 A. Yes.</p> <p>21 Q. How far back does the information that</p> <p>22 your office have go? In other words, does it go back</p> <p>23 the full three or four years?</p> <p>24 A. Yes.</p> <p>25 MR. HILDEBRAND: And, counsel, the</p>	<p style="text-align: right;">Page 44</p> <p>1 So, I guess that's my fault. But in</p> <p>2 any event, I'd like to know when I can have this</p> <p>3 information. Obviously he's got it in his office.</p> <p>4 Let's get it, and let's reconvene the deposition,</p> <p>5 because it's useless for him to sit here and give me</p> <p>6 a bunch of I don't knows, which is the exact</p> <p>7 antithesis as to what a rule 30(b)(6) deposition is</p> <p>8 supposed to be.</p> <p>9 So, tell me how much time you need to</p> <p>10 obtain the information, and we can reconvene the</p> <p>11 deposition.</p> <p>12 MR. CROWTHER: We are here for the</p> <p>13 deposition, and we stand by our objection that the</p> <p>14 witness can't answer your questions because your</p> <p>15 scope of topics was overly broad and vague.</p> <p>16 MR. HILDEBRAND: Okay, and I'm now</p> <p>17 willing to limit it to three or four years. So,</p> <p>18 what's your response?</p> <p>19 MR. CROWTHER: Can you answer the</p> <p>20 question based upon three or four years?</p> <p>21 THE WITNESS: Not today.</p> <p>22 MR. CROWTHER: Please proceed.</p> <p>23 BY MR. HILDEBRAND:</p> <p>24 Q. I'd like to know how much time will it</p> <p>25 take you to go back to your office and get that</p>